

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**UNITED STATES SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**SHANE BASHIR SUMAN and
MONIE RAHMAN,**

Defendants.

Case No. 07-cv-6625 (WHP)

**JOINT PROPOSED SCHEDULING ORDER
SUBMITTED PURSUANT TO RULE 26(f)**

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure ("Federal Rules"), a telephone conference was held on November 1, 2007. The following counsel participated in the conference: (1) Dean M. Conway, Esq. for plaintiff Securities and Exchange Commission ("SEC") and (2) Ghillaine A. Reid, Esq. for defendants Shane B. Suman and Monie Rahman (collectively, "Defendants"). The above-referenced counsel have conferred and jointly submit the following discovery plan as required by Federal Rule 26(f).

1. Rule 26(a)(1) Disclosures

The parties have agreed to exchange the information required by Federal Rule 26(a)(1) on or before January 11, 2008.

2. Defendants' Time to Answer

The parties have agreed to extend Defendants' time to answer or otherwise move with respect to the SEC's Complaint through and including November 23, 2007.

3. Proposed Discovery Plan

a. Subjects On Which Discovery May Be Needed

The key factual and legal issues in this action relate to the SEC's allegations that in January 2007, Defendants' traded in the securities of Molecular Devices Corp. ("Molecular") in violation of Sections 10(b) and 14(e) of the Securities Exchange Act of 1934 and Rules 10b-5 and 14e-3 thereunder. The discovery in this action will concern the allegations in the SEC's Complaint, which was filed with this Court on July 24, 2007. The discovery in this action may relate to the following subjects, among others:

- i. Defendants' securities trading history before January 2007 (the relevance and discoverability of which Defendants reserve their right to object to or otherwise challenge);
- ii. Defendants' trading in Molecular, including the reasons for that trading;
- iii. The tender offer acquisition of Molecular by MDS Inc. ("MDS");
- iii. Whether Defendants traded Molecular securities while in possession of or based on material, non-public information concerning the impending acquisition of Molecular by MDS in violation to a duty to the source of the information;
- iv. Whether Defendants acted with scienter when they traded in the securities of Molecular in January 2007;
- v. Any market data or publicly available information regarding the impending acquisition of Molecular by MDS, or regarding the trading, value and price of Molecular securities.

b. Discovery Deadline

The parties agree that this case is likely to require discovery from individuals and/or entities located outside of the United States. It is possible that the parties may need to use letters rogatory to compel discovery from persons or entities located outside of the United States. Accordingly, the parties request a fact discovery deadline of January 15, 2009, with leave for the parties to apply to the Court for additional time to complete discovery should the parties discover that additional time is necessary.

c. Proposed Discovery Limitations

The parties do not recommend any changes to the limitations on discovery contained in the Federal Rules of Civil Procedure.

d. Expert Reports

The parties request that they be required to exchange reports from retained experts under Fed. R. Civ. P. 26(a)(2), other than rebuttal experts, no later than three (3) months following the close of fact discovery. The parties also request that rebuttal expert reports be due four (4) months after the close of fact discovery. The parties further request that the Court set an expert discovery deadline thirty (30) days after the deadline for the exchange of rebuttal expert reports.

e. Motions

The parties request that the last day to serve dispositive motions be set for one (1) month after the close of expert discovery. The parties further request that the date for serving responses to dispositive motions be set fourteen (14) days after the service of the initial dispositive motions, and that the date for serving reply papers be set fourteen (14) days after the date for service of response papers. In the event that a dispositive motion is

made, the parties request that the date for submitting the Joint Pretrial Order be extended to three (3) weeks after the decision on the motion. The parties also request that the final pretrial conference be adjourned to a date four (4) weeks from the decision on any dispositive motions.

f. Scheduling Conference

The Court has scheduled the Rule 16(b) pretrial conference for November 9, 2007.

g. Proposed Pretrial Conference and Trial Dates

The parties propose that the Court schedule the final pretrial conference in this matter for one (1) month after the final deadline for dispositive motions (as that deadline is set forth in subparagraph (e) above). The parties further propose that the trial date in this matter be scheduled for a date that is convenient to the Court.

h. Joint Pretrial Order

The parties request that they be allowed to file the Joint Pretrial Order two (2) weeks prior to be the final pretrial conference.

i. Addition of Parties and Amendments of Pleadings

The parties request that the deadline to join additional parties and/or amend their pleadings be set one (1) month following the Rule 16(b) conference.

j. Prospects for Settlement


The SEC and Defendants engaged in preliminary discussions regarding a possible settlement of this action. This discussion did not result in any agreement regarding the possibility of a settlement.

k. Estimated Length of Trial

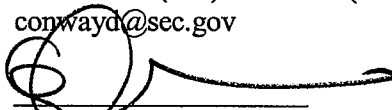
The parties estimate that the trial of this matter will take five (5) court days.

November 1, 2007

Respectfully submitted,



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